

RESOLUTION NO. CZAB12-6-04

WHEREAS, **ACROPOLIS REALTY LLC** applied for the following:

- (1) **RU-5A & BU-1 to OPD**
- (2) **DELETION** of a Declaration of Restrictions recorded in Official Record Book 11841 at Pages 1328 through 1329.

The purpose of the request is to remove an agreement from the site which limited the commercial uses and tied the BU-1 site to a plan.

- (3) The applicant is requesting to permit a lot with an area of 2.94 acres. (The underlying zoning district regulation requires 3 acres including right-of-way dedication).
- (4) The applicant is requesting to permit a floor area ratio of 0.94. (The underlying zoning regulation permits 0.86).

Plans are on file and may be examined in the Zoning Department entitled "Agora Professional Building," as prepared by Fullerton-Diaz Architects, Inc., dated revised 9-2-03 and 10-2-03 and consisting of 8 pages. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south $\frac{1}{2}$ of the south $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ less the east 35' thereof and less the west 25' thereof, in Section 4, Township 55 South, Range 40 East. The south 20' of the right-of-way of S.W. 89 Terrace and the east 25' of S.W. 88 Avenue, thereof shall be added to the buildable site.

LOCATION: 8960-70 S.W. 87 Court, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time, the applicant requested a waiver of the refilling period, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to OPD (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested deletion (Item #2), and the requests to permit a lot with an area of 2.94 acres (Item #3) and to permit a floor area ratio

of 0.94 (Item #4) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested waiver of the refiling period should be granted, and

WHEREAS, a motion to deny Items #1-4 without prejudice and to grant the waiver of the refiling period was offered by Robert W. Wilcosky, seconded by Peggy Brodeur, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Douglas Krueger	absent
Millie Herrera	absent	Nelson Varona	nay
		Robert W. Wilcosky	aye
	Jose I. Valdes	aye	

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to OPD (Item #1) be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requested deletion (Item #2), and the requests to permit a lot with an area of 2.94 acres (Item #3) and to permit a floor area ratio of 0.94 (Item #4) be and the same are hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requested waiver of the refiling period be and the same is hereby granted, and said refiling period is hereby waived.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 10th day of February, 2004.

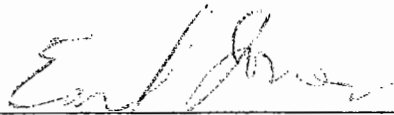
Hearing No. 03-11-CZ12-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

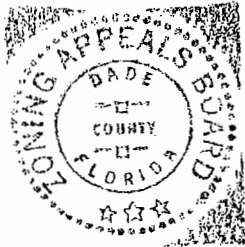
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 12, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB12-6-04 adopted by said Community Zoning Appeals Board at its meeting held on the 10th day of February, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 17th day of February, 2004.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL



MIAMI-DADE COUNTY, FLORIDA



DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street
MIAMI, FLORIDA 33175
□ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145
□ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223
□ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106
□ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

February 18, 2004

ACROPOLIS REALTY LLC
c/o Chad Williard
999 Ponce de Leon Boulevard
Suite 1000
Coral Gables, FL 33134

Re: Hearing No. 03-11-CZ12-1
Location: 8960-70 S.W. 87 Court, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. CZAB12-6-04, adopted by the Miami-Dade County Community Zoning Appeals Board 12, which denied your application without prejudice on the above described property.

You are hereby advised that the decision of the Community Zoning Appeals Board may, be appealed by an aggrieved party to The Board of County Commissioners within 14 days after the results have been posted.

Copies of any court filings concerning this matter should be served upon both my office and:

Robert A. Ginsburg, County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Earl Jones'.

Earl Jones
Deputy Clerk

Enclosures